

AN ORDINANCE BY  
COUNCILMEMBERS ANNE FAUVER AND HOWARD SHOOK

05-O-0767

*AS SUBSTITUTED*  
*BY FINANCE/EXECUTIVE COMMITTEE*

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE, X,  
DIVISION 4, SECTION 2-1190 OF THE CODE OF  
ORDINANCES OF THE CITY OF ATLANTA, THE  
PROCUREMENT AND REAL ESTATE CODE, SO AS TO  
INCREASE THE SMALL PURCHASE AUTHORITY FOR  
USING AGENCIES; AND FOR OTHER PURPOSES.

WHEREAS, the daily operations and practical needs of the using agencies of the City of Atlanta, as defined in Article X of the Atlanta City Code of Ordinances ("the Procurement Code"), require small purchases to perform daily functions and serve the public; and

WHEREAS, under Section 2-1190 of the Procurement Code, the small purchasing authority of the using agencies is currently limited to \$1,000.00; and

WHEREAS, inflation and other economic pressures have rendered the using agencies' purchasing authority inadequate to fulfill their obligations.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY  
ORDAINS AS FOLLOWS:

SECTION ONE: That Chapter Two, Article X, Division 4, Section 2-1190 of the Code of Ordinances of the City of Atlanta be amended as follows:

Sec. 2-1190. Small purchases.

(a) *General procedures.* Any contract or purchase order for supplies, services and construction not exceeding \$20,000.00 may be made in accordance with small purchase procedures adopted by the chief procurement officer in accordance with this article, provided that contract requirements shall not be artificially divided so as to constitute a small purchase under this section. Insofar as it is practicable, no less than three businesses shall be solicited to submit quotations. Award shall be made to the business offering the lowest responsive quotation. The name of the business submitting a quotation and the date and amount of each quotation shall be recorded and maintained as a public record.

(b) *Authority of using agency.* Heads of all city departments may, in their discretion, make small purchases without the assistance of the chief procurement officer under the following circumstances:

(1) Where the purchase does not exceed \$50.00 and is paid out of the petty cash fund allocated to the department under a duly enacted appropriation; and

(2) Where the purchase does not exceed \$20,000.00 and is paid for by a miscellaneous requisition directing the chief financial officer to make payment from funds previously allocated to such department.

(c) *Limitations on small purchases made by city departments.* When small purchases are made by heads of city departments pursuant to subsection (b) of this section the following requirements shall be met:

(1) The aggregate amount of all such small purchases for each department shall not exceed an amount to be annually set administratively by the mayor during the normal budget process upon the recommendation of the chief procurement officer, based upon the department's expenditures of the previous fiscal year, the department's estimated annual expenditures for the current fiscal year and other relevant factors;

(2) A copy of any purchase order or miscellaneous requisition shall be sent to the chief procurement officer at the time the purchase is made; and

(3) Purchases shall not be artificially divided so as to constitute a small purchase under subsection (b) of this section.

(d) *Certification of unencumbered appropriation.* Except for emergency procurements under section 2-1192, the chief procurement officer shall not execute any contracts or purchase orders under this section until the chief financial officer shall have certified, after preaudit, that there is to the credit of the using agency concerned a sufficient unencumbered appropriation balance, in excess of all unpaid obligations, to defray the amount of the order.

(Code 1977, § 5-5045; Ord. No. 1995-39, § 2, 8-14-95; Ord. No. 2002-71, § 42, 9-16-02; Ord. No. 2005-23, § 1, 3-25-05)Section 2-1296

**SECTION TWO:** To the extent that any ordinance or part of ordinances in conflict herewith, they are hereby repealed.